FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.1607 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.J.Shekhar h/for M.B.Zanwar for the applicant.

Mr.S.S.Pednekar APP for the State.

Coram : R.S.Mohite,J

Date : 13.6.2006.

PC

1. This is an application for grant of bail. The applicant is shown as an accused in C.R.No.111/2005 registered by the Shikrapur police station for offences punishable under Sections 302, 201, 394, r/w 34 of IPC. The present applicant alongwith 3 other accused hired a jeep from Parali, dist. Beed and were found in the same jeep at Panvel. The driver of the jeep is the deceased by name Pandurang. He was found lying dead having been strangulated at Shikrapur. The jeep was stopped by the police at Panvel and on

suspicion that offence under Section 399 was being committed. On being accosted the accused are said to have confessed to the crime of killing the driver. The fact that driver was found along side the road on the way strangulated and the fact that the present applicant and the other accused continued their journey without driver is a very strong circumstance against the present applicant. Apart from this while he was travelling he was carrying a knife .25 cm in length. The police have also recorded the statement of one Shaikh Hanif Balemia who is the owner of the hotel Preetam and who has seen the present applicant alongwith other accused. Advocate for the applicant states that the co-accused was granted bail by this Court. It appears that in that order the Court observed that the only evidence against that applicant is being in possession of the vehicle which

was being driven by the deceased. In the present case the applicant is found with a dangerous weapon and there is no explanation in the application as to why the driver was left behind on the road. In the circumstances, not a fit case to grant bail. Rejected.

(R.S.Mohite,J)